

## **Minutes of the Maine Real Estate Commission**

**January 11, 2006**

### **MEMBERS PRESENT**

Winfred Stevens, Chairman  
David Kitchen, Vice-Chairman  
Earl Black  
Sharon Millett  
Jeffrey Mitchell

### **STAFF PRESENT**

Carol Leighton, Director  
Karen Bivins, Deputy Director  
Judy Brown, Examiner  
Marilyn Lugner, Education Coordinator  
Robert Perkins, Assistant Attorney General  
Susan Greenlaw, Secretary

### **MEMBERS ABSENT**

Susan Lewis Hodgkins

**Location:** Central Conference Room

**Start:** 9:00 a.m.

**Adjourn:** 3:05 p.m.

### **Agenda Modifications**

See **Proposed Consent Agreements**

### **Commission Minutes**

A motion was made by Jeffrey Mitchell and seconded by Earl Black to approve the minutes of the December 15, 2005 meeting as written. Black, Kitchen, Mitchell, and Stevens voted in the affirmative; none opposed. Motion carried.

### **Commission Decision and Order**

A motion was made by Earl Black and seconded by Jeffrey Mitchell to accept the Decision & Order in the matter of Paul Bennett v. Director. Black, Kitchen, Mitchell, and Stevens voted in the affirmative; none opposed. Motion carried.

A motion was made by Earl Black and seconded by Jeffrey Mitchell to accept the Decision & Order in the matter of Judith E. Evans v. Director. Black, Kitchen, Mitchell, and Stevens voted in the affirmative; none opposed. Motion carried.

A motion was made by Earl Black and seconded by Jeffrey Mitchell to accept the Decision & Order in the matter of Stephen Hammond v. Director. Black, Kitchen, Mitchell, and Stevens voted in the affirmative; none opposed. Motion carried.

Sharon Millett arrived at 9:03 a.m.

### **Dismissed Complaints**

A motion was made by Jeffrey Mitchell and seconded by Earl Black to accept the Proposed Dismissal in case number 2005-REC-30. Unanimous.

### **Proposed Consent Agreements**

2004-REC-8: Earl Black recused and left the room. A motion was made by David Kitchen and seconded by Sharon Millett to accept the Proposed Consent Agreement. Kitchen, Millett, Mitchell, and Stevens voted in the affirmative; none opposed. Motion carried.

A motion was made by Jeffrey Mitchell and seconded by David Kitchen to accept the Proposed Consent Agreements in case numbers 2005-REC-2014, 2005-REC-2323, 2005-REC-2336, and 2005-REC-2364. Unanimous.

A motion was made by Jeffrey Mitchell and seconded by Earl Black to add the following to the agenda. Unanimous.

#### **I. Proposed Consent Agreement #2005-REC-2298**

A motion was made by Jeffrey Mitchell and seconded by Earl Black to accept the Proposed Consent Agreement in case number 2005-REC-2298. Unanimous.

### **Proposed Rule Amendments**

Chapters 320, 330, 360, & 390: The Commission discussed the sixth drafts of Chapters 320 and 330 and the second drafts of Chapters 360 and 390.

Proposed Brokerage Disclosure Form #3: Discussed in conjunction with Chapter 330.

### **Education**

Education Committee Recommendation – 2006 Sales Agent & Associate Broker Course Outlines: Charles “Kim” Coit provided an overview of the committee’s recommendations.

Maine Association of Realtors® Recommendation – 2006 Sales Agent Course Outlines: John Bragg provided comments regarding the Maine Association of Realtors® recommendation.

Elaine Richer – proposed changes to Designated Broker Course: Not discussed.

A motion was made by Sharon Millett and seconded by Earl Black to set a minimum of 66 classroom hours for the Sales Agent Course. Black and Millett voted in the affirmative; Kitchen, Mitchell, and Stevens opposed. Motion failed.

A motion was made by Jeffrey Mitchell and seconded by David Kitchen to set a minimum of 55 classroom hours for the Sales Agent Course. Kitchen, Mitchell, and Stevens voted in the affirmative; Black and Millett opposed. Motion carried.

Associate Broker Exam Results by School/Instructor – 2004 & 2005: Not discussed.

**Director's Report**

Director v. Cash Wiseman – Hearing Date to be Determined: A hearing date will be scheduled for some time in February.

**Next Meeting Scheduled for February 16, 2006**

The meeting was adjourned at 3:05 p.m.

This report respectfully submitted,

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Winfred A. Stevens  
Chairperson

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Carol J. Leighton  
Director